
From: Ariel Reinitz
Sent: Sunday, May 16, 2021 7:51 PM
To: Shira Goldman Moyal
Cc: Simcha Schonfeld; Jacob Schindelheim
Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel –

Your letter of May 4, 2021 represents that Defendant Abi Goldenberg produced all documents responsive to our discovery requests, including his communications with Samuel Taub. Yet Defendants’ production to date does not contain a single email, WhatsApp message, etc. *from Abi* to Taub (only a handful of emails *from Taub* to Abi).

Notably, in Abi’s communications with Jacob Litchfield (regarding the “Teman Suicide Note”) Abi writes: “I sent this out today” and I sent it to taub” :

12/11/19, 7:15 PM - Yanky Litchfield: <Media omitted>

Teman Suicide Note

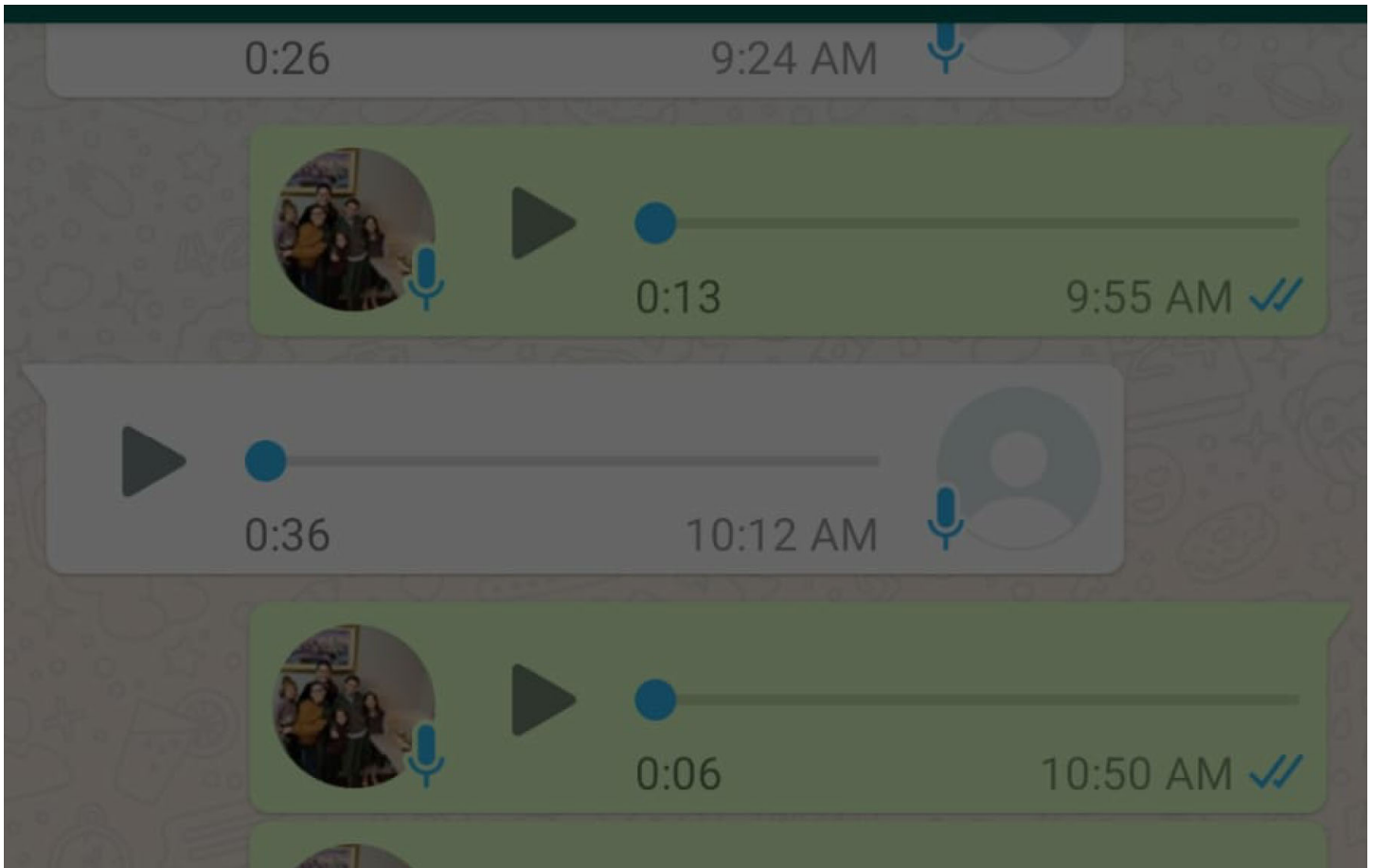
12/11/19, 7:21 PM - Abi Goldenberg: I sent this out today he sent it to me! I sent it to taub

Yet Defendants’ have not produced any communications in which Abi sends the “Suicide Note” to Taub (or anyone else).

Please produce all responsive communications between Abi Goldenberg and Samuel Taub no later than 5:00pm ET on Thurs. May 20, 2021. See, e.g., RFPs 3-4, 5-6 to Abi (all documents/communications concerning GateGuard or Ari Teman).

Please also produce all communications between Abi Goldenberg and any Person concerning the referenced “Suicide Note” no later than 5:00pm ET on Thurs. May 20, 2021. See, e.g., RFPs 3-4, 5-6 to Abi (all documents/communications concerning GateGuard or Teman).

Additionally, Abi Goldenberg’s WhatsApp chat with Jacob Litchfield includes several audio or voice messages :



Despite our previous request (on April 30, 2021), Defendants have not produced any of these audio files. **Please produce all audio files, voice messages, etc. between Abi Goldenberg and Jacob Litchfield no later than 5:00pm ET on Thurs. May 20, 2021.**

If you have any concerns regarding these requests, please propose times to meet-and-confer on Wed., May 19, 2021.

Thanks,
Ariel

Ariel Reinitz
Partner

FisherBroyles, LLP
direct: +1.646.494.6909
ariel.reinitz@fisherbroyles.com
www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Shira Goldman Moyal <shira@kandsllp.com>
Sent: Sunday, May 16, 2021 5:40 PM
To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>
Cc: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants
SDNY 1:20-cv-01609-AJN

Ariel,

See attached.

Regards,

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.



Virus-free. www.avg.com

On Thu, May 6, 2021 at 12:50 PM Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com> wrote:

11:30 tomorrow (Fri.) works. Should I call you at 212-857-4480?

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Jacob Schindelheim <jjs@kandsllp.com>
Sent: Thursday, May 6, 2021 9:55 AM
To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>; Shira Goldman Moyal <shira@kandsllp.com>
Cc: Simcha Schonfeld <sds@kandsllp.com>
Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Friday I can do 11:30 or 3pm.

Best,

Jake

From: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>
Sent: Wednesday, May 5, 2021 7:59 PM
To: Shira Goldman Moyal <shira@kandsllp.com>
Cc: Jacob Schindelheim <jjs@kandsllp.com>; Simcha Schonfeld <sds@kandsllp.com>
Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Thanks.

Jacob – if you are unavailable tomorrow (Thurs.) please propose some times on Friday to discuss.

In the meantime, can you please confirm that Defendants are withholding portions of the attached email that appear below Samuel Taub's signature which are not correspondence between Abi Goldenberg and Koss & Schonfeld, LLP?

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Shira Goldman Moyal <shira@kandsllp.com>

Sent: Wednesday, May 5, 2021 5:40 PM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Cc: Jacob Schindelheim <js@kandsllp.com>; Simcha Schonfeld <sds@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

We are not available tomorrow. Jacob will be in touch to schedule a mutually convenient time to meet and confer.

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be

returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

On Wed, May 5, 2021 at 5:28 PM Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com> wrote:

Counsel – are you available to meet and confer **tomorrow** (Thurs. 5/6) re: Defendants’ failure to produce the attached email in its entirety?

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Tuesday, May 4, 2021 9:27 PM

To: Shira Goldman Moyal <shira@kandsllp.com>

Cc: Jacob Schindelheim <jj@kandsllp.com>; Simcha Schonfeld <sds@kandsllp.com>

Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Shira – the email at issue (reproduced below in its entirety) reflects that it is a ‘forward’ email (“Subject: Fwd: NYSCEF Alert:...”). That is, Samuel Taub forwarded to Abi Goldenberg **prior email(s)** Taub received. Taub’s message (“See

below”) suggests the same – presumably referencing the email(s) Taub was forwarding (which would appear “below”). Yet in Defendants’ production, **nothing** is “below” (beyond Taub’s email signature):

Original message -----

From: Samuel Taub <samuel.t@mvisystems.com>

Date: 12/10/19 12:12 PM (GMT-05:00)

To: A Goldenberg <AGoldenberg@goldmontrealty.com>

Subject: Fwd: NYSCEF Alert: New York - Commercial Division - Entry of Order/Judgment 654105/2019 ([3660 BROADWAY](#) BCR, LLC et al v. GATEGUARD INC. et al)

See below.

Samuel Taub
Chairman, CEO & Founder

MVI Industries, LLC

2607 Nostrand Ave, 1st Flr

Brooklyn, NY 11210

Toll Free: 844-MVI-SYSTEMS

T: 347 960-4726

Visit us at: MVisystems.com

This email and any documents accompanying this transmittal may contain information that is confidential or legally privileged. The information is intended only for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance upon the contents of this transmittal is strictly prohibited, and any documents should be returned to the sender immediately. If you have received this transmittal in error, please notify the sender immediately by return email.

Moreover, Defendants produced another email from from Samuel Taub to Abi Goldenberg which included attachments. See Bates 000040-000041. In that example, the email included a listing of attachments **immediately following Taub’s email signature**:

Samuel Taub

Chairman, CEO & Founder

MVI Industries, LLC

2607 Nostrand Ave, 1st Flr

Brooklyn, NY 11210

Toll Free: 844-MVI-SYSTEMS

T: 347 960-4726

Visit us at: MVIsystems.com


This email and any documents accompanying this transmittal may contain information that is confidential or legally privileged. The information is intended only for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance upon the contents of this transmittal is strictly prohibited, and any documents should be returned to the sender immediately. If you have received this transmittal in error, please notify the sender immediately by return email.

3 attachments

4/26

000040

 **2019-07-08USvTeman_Hearing (1).pdf**
42K

 **Teman e-mails (02438801x7A3C1) (1).pdf**
778K

 **6529x06 - AMENDED Notice of Criminal Transfer to Southern District of New York (1).pdf**
1395K

Curiously, though Defendants concede that the Taub Email (Bates 000007) included at least one (previously unproduced) attachment, the **Taub Email does not list any attachments immediately following Taub's signature**. This further suggests there is additional content in this email.

We reiterate our request that Defendants produce this email in its entirety, including any text, attachments, or other content below Samuel Taub's signature.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Shira Goldman Moyal <shira@kandsllp.com>

Sent: Tuesday, May 4, 2021 6:22 PM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Cc: Jacob Schindelheim <jjis@kandsllp.com>; Simcha Schonfeld <sds@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Ariel:

Defendants are not withholding any responsive materials. The privilege is correspondence between Abi and Koss & Schonfeld, LLP, to which Plaintiff is naturally not entitled.

Shira

On Tue, May 4, 2021 at 6:04 PM Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com> wrote:

Thanks, Shira.

Abi Goldenberg's supplemental RFP responses (dated April 26, 2021) indicate he is not withholding any responsive materials (see, e.g., responses to RFP's 5-6). But Defendants' letter of today indicates Abi is withholding sections of an email previously produced at Bates 000007 (the "Taub Email").

The Taub Email (copy attached) is correspondence between Abi Goldenberg and Samuel Taub. Your letter admits to withholding portions of this email, purportedly on the basis of "privilege." ("The entire email from Samuel Taub was previously produced... save for sections that are privileged.")

1. **Can you please identify the nature of the "privilege" (if any) between Abi Goldenberg and Samuel Taub?**
2. **Please also identify the individual or entity purporting to assert this "privilege."**

Alternatively, **please produce the Taub email in its entirety (and any other responsive documents or communications previously withheld on the basis of any comparable "privilege") no later than 5:00pm ET tomorrow (May 5, 2021).**

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Shira Goldman Moyal <shira@kandsllp.com>

Sent: Tuesday, May 4, 2021 4:58 PM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Cc: Jacob Schindelheim <jjs@kandsllp.com>; Simcha Schonfeld <sds@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants
SDNY 1:20-cv-01609-AJN

Counsel:

Please see attached.

Regards,

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

On Fri, Apr 30, 2021 at 1:17 PM Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com> wrote:

Counsel – the following (non-exclusive) deficiencies are apparent from a brief review of Defendants’ document production:

1. Documents produced by Abi Goldenberg do not appear to include his communications with any of the below individuals identified in his interrogatory responses:

Rabbi Steven Pruzansky

Ari Goldberg

Joseph Soleimani

Benjamin Soleimani

Daniel Alessandrino

Please produce all responsive communications between Abi Goldenberg (or any other defendant) and any of the above individuals (including re: GateGuard or Teman – see RFPs 5-6).

2. Defendants produced an extracted .txt file of various WhatsApp messages at Bates No. 000130-000133. This conversation incorporates numerous media items, all of which are omitted (see “<Media omitted>” lines and several attached .jpg and .opus files). The extracted .txt file also omits metadata such as information concerning whether certain messages are forwards, replies, etc.

Please produce the complete exported WhatsApp conversation, including all media files, attachments, etc. Please also produce screenshots of this conversation which reflect whether any messages are replies, forwards, etc. (See, for examples, Bates 000157).

3. Defendants’ document production includes an email from Samuel Taub to Abi Goldenberg dated 12/10/2019 (Bates 000007). The email appears incomplete. **Please produce the entire email and any attachments.**
4. In his response to Interrogatory No. 1, Leon Goldenberg admits to using WhatsApp. Defendants’ document production does not appear to include any WhatsApp chats (or any other app-based messages) involving Leon Goldenberg. **Please produce all responsive communications from WhatsApp (or any other app, messaging service, etc.) involving Leon Goldenberg.**
5. Defendants’ document production appears to include only a single communication between Leon Goldenberg and Abi Goldenberg (Bates No. 000002). **Please produce all responsive communications (emails, WhatsApp or other app-based messages, etc.) between Leon Goldenberg and Abi Goldenberg** (including re: GateGuard or Teman – see, e.g., RFPs 5-6, 13-17 to Abi/Leon).

6. Defendants' document production references communications between Abi Goldenberg and Saul Horowitz (see Bates 000154). **Please produce all responsive communications involving Saul Horowitz.**

Please remedy these deficiencies by 5:00pm ET on Tuesday, May 4, 2021. If you'd like to meet-and-confer on these issues, please propose some times on Monday (5/3). I am generally available after 11am.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Shira Goldman Moyal <shira@kandsllp.com>

Sent: Thursday, April 29, 2021 3:00 PM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Cc: Jacob Schindelheim <jjs@kandsllp.com>; Simcha Schonfeld <sds@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel:

Defendants' Supplemental Responses to Plaintiff's Request for the Production of Documents are attached below, as to each Defendant.

Citrix Attachments

Expires October 26, 2021

RFP (Leon) - Supp w Exhibits_Redacted.pdf	23 MB
RFP (Goldmont)- Supp w Exhibits.pdf	23 MB
RFP (Abi) - Supp w Exhibits.pdf	23 MB

[Download Attachments](#)

Shira Goldman Moyal uses Citrix to share documents securely. [Learn more.](#)

Regards,

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

On Tue, Apr 27, 2021 at 10:32 AM Jacob Schindelheim <jjs@kandsllp.com> wrote:

Ariel,

Your recitation is not entirely accurate. However, we are not looking to argue with you. We will endeavor to meet your timeframe below and will reach out to during the times you provided, if necessary.

Best,

Jake

From: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>
Sent: Tuesday, April 27, 2021 2:16 AM
To: Shira Goldman Moyal <shira@kandsllp.com>
Cc: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>
Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Thanks, Shira, but that's not what Jacob and I discussed or agreed to.

During my call with Jacob (on April 19), I reiterated our intent to request a Rule 37.2 conference (see attached). Our position was (and is) that involving the Court is necessary considering Defendants' pattern of refusing to engage us re: discovery (and only doing so when ordered by the Court).

To date, Defendants have produced a total of three documents and eight emails. This production is plainly incomplete for numerous reasons. For example:

- RFPs 5-6 to Leon Goldenberg seek communications between Leon and any Person concerning GateGuard or Ari Teman. *None* of the documents produced by Defendants appear responsive to these requests.
- Similarly, RFPs 5-6 to Abi Goldenberg seek communications between Abi and any Person re: GateGuard / Teman. Though Defendants' production includes a handful of emails involving GateGuard / Teman, it does not include *any* responsive communications to which GateGuard / Teman was not a party (see below).

- Abi admits to communicating with at least 10 individuals re: GateGuard / Teman. Leon admits to communicating with at least five *other* individuals re: GateGuard / Teman (total of 15 unique individuals between Abi and Leon). Yet Defendants' production reflects, at most, communications with only 3-4 of such individuals.
- Both Leon and Abi admit to using WhatsApp. Yet Defendants' production does not include *any* WhatsApp messages.

Again, these deficiencies are highlighted only as examples. Aside from the input from Defendants' interrogatory responses (which only further underscores these deficiencies), I raised the substance of these issues with Jacob last week.

In response to our position that a Rule 37.2 conference is necessary (given Defendants' refusal to cooperate in discovery), Jacob proposed that he would further confer with the Defendants and provide an update and/or responsive documents by last Friday (April 23). I agreed to wait until then before involving the Court.

As you know, Defendants did not provide the promised response / documents on Friday. I then followed up and asked Defendants to produce the outstanding documents on Monday (Apr. 26). Defendants failed to do so, instead indicating they would provide supplemental responses "in due course."

In view of Defendants' conduct to date, this is unacceptable. The discovery requests at issue were served *4+ months ago*. And Defendants have produced nothing further since indicating they would make a "rolling production" *6+ weeks ago*. Considering we needed a court order to get Defendants to return a phone call, we have little faith Defendants will cooperate in discovery without the Court's intervention.

In a final attempt to resolve this without Court intervention, we reiterate our request that Defendants produce all responsive documents in their possession no later than **5:00pm ET on Thursday, April 29, 2021**. If Defendants have any concerns with this request, **please propose time(s) to meet-and-confer sometime today (Tue.) or Wed.** Absent a complete production or resolution of any outstanding issues by COB Thursday, we will seek relief from the Court to resolve this ongoing impasse.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Shira Goldman Moyal <shira@kandsllp.com>

Sent: Monday, April 26, 2021 5:31 PM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Cc: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjjs@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel,

Pursuant to your conversation with Jacob last week, we will be providing supplemental discovery responses in due course.

Regards,

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity

named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

On Tue, Apr 6, 2021 at 1:40 AM Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com> wrote:

Counsel – We have reviewed Defendants’ document production and responses/objections to Plaintiff’s RFPs. The responses are deficient in several respects, including as outlined below.

Please let me know your earliest availability to meet-and-confer on these issues.

RFPs to Goldmont

Rule 34(b)(2)(C) requires that “An objection must state whether any responsive materials are being withheld on the basis of that objection.”

Goldmont objects on various grounds to RFPs 1-11 but does not state if any documents are being withheld based on its objections. Please advise whether Goldmont is withholding materials responsive to any of these RFPs.

RFPs to Leon Goldenberg

Leon Goldenberg’s objections to RFPs 1-17 do not state if any documents are being withheld on the basis of his objections, in violation of Rule 34(b)(2)(C). Please advise whether L. Goldenberg is withholding materials responsive to any of these RFPs.

Additionally, RFPs 5-6 to L. Goldenberg seek “All Communications between You and any Person concerning [GateGuard / Ari Teman].” Yet Defendants’ document production does not appear to include any Communications to / from L. Goldenberg. **Does L. Goldenberg have any responsive Communications in his possession?** If so, when will they be produced?

Similarly, Defendants’ production does not appear to include any documents responsive to RFPs 7-9. **Does L. Goldenberg have any responsive documents in his possession?** If so, when will they be produced?

The same holds for RFPs 13-17 which concern communications between L. Goldenberg and co-defendant Abi Goldenberg. Defendants’ document production includes no communications between Leon and Abi. **Did Leon**

ever communicate with Abi concerning GateGuard, Ari Teman, intercom devices/services, or any Transaction between any Person and GateGuard? If so, when will these communications be produced?

RFPs to Abi Goldenberg

Abi Goldenberg's objections to RFPs 1-17 do not state if any documents are being withheld on the basis of his objections, in violation of Rule 34(b)(2)(C). Please advise whether A. Goldenberg is withholding materials responsive to any of these RFPs.

RFPs 5-6 to A. Goldenberg seek "All Communications between You and any Person concerning [GateGuard / Ari Teman]." **Has A. Goldenberg produced all such Communications in his possession?** If not, when will they be produced?

Similarly, has A. Goldenberg produced all responsive documents to RFPs 7-9? If not, when will all such documents be produced?

Re: RFPs 13-17 (concerning communications between Leon and Abi): **Did Abi ever communicate with Leon concerning GateGuard, Ari Teman, intercom devices/services, or any Transaction between any Person and GateGuard?** If so, when will these communications be produced?

Interrogatories

We have not received responses to the interrogatories served on any of the defendants. **When will defendants be providing these responses?**

Again, ***please let me know your earliest availability to meet-and-confer on these issues.***

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Simcha Schonfeld <sds@kandsllp.com>

Sent: Monday, March 15, 2021 1:27 AM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Cc: Jacob Schindelheim <jis@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: Re: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

See attached

Simcha D. Schonfeld, Esq. | KOSS & SCHONFELD LLP

90 John Street | Suite 503 | New York, New York 10038

O: 212-796-8916 | F: 212-401-4757 | Email: sds@kandsllp.com

www.kandsllp.com

Please note that any and all contracts and transaction-related documents transmitted in this email remain subject to the review and approval of my client, unless stated otherwise.

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

On Fri, Mar 12, 2021 at 1:40 PM Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com> wrote:

Hi Simcha – I'm following up re: the outstanding Requests for Production and Interrogatories served on your clients on December 24, 2020.

During our call yesterday you indicated you "had responses drafted" and you asked me to follow up with you by phone at 1pm today (Fri., Mar. 12, 2021). I have attempted to reach you multiple times today (starting at 1pm) but there is no answer.

In view of our call yesterday and the numerous good-faith attempts we have made to address this issue (with little to no response from you), it appears we have exhausted the meet-and-confer process. We can only conclude you simply will not respond to our discovery requests without the Court's intervention.

If we do not hear from you by 5:00pm ET today, we will proceed in requesting a Local Rule 37.2 conference.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Thursday, March 11, 2021 3:48 PM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Hi Simcha – as we just discussed by phone, I will call you tomorrow (Fri.) at 1pm to confer re: the outstanding RFPs and interrogatories to your clients.

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Thursday, March 11, 2021 10:12 AM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel – I tried calling 212-796-8916 several times but the calls went straight to voicemail.

Please advise your availability today to meet and confer on our outstanding Requests for Production and Interrogatories to Defendants.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Wednesday, March 10, 2021 10:12 PM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jj@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

I will plan to call you tomorrow (Thurs.) at 10am to confer re: the outstanding discovery Requests for Production and Interrogatories to defendants. If there is another time you prefer, please let me know.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Tuesday, March 9, 2021 11:37 AM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jj@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Thanks. How is **10am on Thursday** to discuss our outstanding Requests for Production and Interrogatories?

The Requests for Admission are all deemed admitted under Rule 36(a)(3).

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Simcha Schonfeld <sds@kandsllp.com>

Sent: Tuesday, March 9, 2021 10:49 AM

To: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

I am in a deposition all day tomorrow but am available Thursday, that said, we will have responses before then.

SIMCHA D. SCHONFELD, ESQ. | KOSS & **SCHONFELD LLP**

90 John Street | Suite 503 | New York, New York 10038

O: 212-796-8916 | F: 212-401-4757 | Email: sds@kandsllp.com

www.kandsllp.com

Please note that any and all contracts and transaction-related documents transmitted in this email remain subject to the review and approval of my client, unless stated otherwise.

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

From: Ariel Reinitz <Ariel.Reinitz@fisherbroyles.com>

Sent: Tuesday, March 09, 2021 10:19 AM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: [Request to Meet-and-Confer] RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Importance: High

Counsel – are you available to confer by phone at **10:00 AM tomorrow (Wed., March 10, 2021)** re: the attached discovery requests to your clients?

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Monday, March 8, 2021 9:31 AM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jj@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel – we have not received responses to the attached discovery requests. Please advise as to your availability this week to meet and confer.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Wednesday, March 3, 2021 11:25 AM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel – we have not received responses to the attached discovery requests. Please advise as to your availability to meet and confer.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Monday, January 25, 2021 12:01 PM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: RE: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel – we have not received responses to the attached discovery requests. Are you available this week to meet and confer?

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

direct: +1.646.494.6909

ariel.reinitz@fisherbroyles.com

www.fisherbroyles.com

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

From: Ariel Reinitz

Sent: Thursday, December 24, 2020 11:59 PM

To: Simcha Schonfeld <sds@kandsllp.com>; Jacob Schindelheim <jjs@kandsllp.com>; Shira Goldman Moyal <shira@kandsllp.com>

Subject: GateGuard v. Goldmont, et al. - RFPs + Interrogatories to Defendants SDNY 1:20-cv-01609-AJN

Counsel – attached are discovery demands being served on your clients.

Thanks,

Ariel

Ariel Reinitz

Partner

FisherBroyles, LLP

445 Park Avenue, Ninth Floor | New York, NY 10022 | USA

O: +1. 646.494.6909

M: +1. 917.587.5520

[email](#) | [web](#) | [linkedin](#)

ATLANTA | AUSTIN | BOSTON | CHARLOTTE | CHICAGO | CINCINNATI | CLEVELAND | COLUMBUS |
DALLAS | DENVER | DETROIT | HOUSTON | LONDON | LOS ANGELES | MIAMI | NAPLES | NEW YORK |
PALO ALTO | PHILADELPHIA | PRINCETON | SALT LAKE CITY | SEATTLE | WASHINGTON, DC

The information contained in this e-mail message is only for the personal and confidential use of the intended recipient(s). If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying,

distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038
Direct dial: (646) 699-1170
Fax: (212) 401-4757
www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

--

Shira Goldman Moyal, Esq.
Koss & Schonfeld, LLP
90 John Street, Suite 503
New York, New York 10038

Direct dial: (646) 699-1170

Fax: (212) 401-4757

www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.

--

Shira Goldman Moyal, Esq.

Koss & Schonfeld, LLP

90 John Street, Suite 503

New York, New York 10038

Direct dial: (646) 699-1170

Fax: (212) 401-4757

www.KandSllp.com

This e-mail and any Document(s) accompanying this transmittal contains information from Koss & Schonfeld, LLP that is confidential and /or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance upon the contents of this transmittal is strictly prohibited and the document(s) should be returned to this firm immediately. If you have received this transmittal in error, please notify this firm immediately by return e-mail.



Virus-free. www.avg.com